

A^o. 1862



N^o. 2.

TRANSLATION.

PUBLICATION,

*by which a new Harbour-regulation for Curaçao
is enacted.*

IN THE NAME OF THE KING.

THE GOVERNOR of Curaçao and dependencies,

To all to whom these presents shall come, greeting !
maketh known :

Having taken in consideration the necessity of a
revision of the Harbour-regulations of Curaçao.

Heard the colonial council,

Has thought proper and understood :

In virtue of the authorisation granted by the King,
to enact as it is hereby enacted as follows.

Art. 1.

Under the direction of the Chief of the Police, the
Harbour-master shall be charged with the Police
superintendence over the harbour and the maintaining
of the existing ordinances ; to him shall be subordinate
any Police-officers when placed at his disposal.

Art. 2.

Vessels entering the harbour are not allowed to go
beyond the entrance of the Waaigat under a penalty
of f 25.

This is however not applicable to coasters, or ves-
sels subject to the regulations relative to the coasters.

Art. 3.

Masters of vessels entering the harbour have to declare to the Harbour-master the place whence they come, under a penalty of *f* 25.

Should the statement of the master prove of be false or fictitious, or should he refuse to state the place whence he comes, or should he give up an uninhabited place, or finally if in the place mentioned, prevails or is suspected to prevail a contagious disease, the Harbour-master shall have to keep such vessel from all communication with the shore, and immediately give notice to the Governor, to take such steps as he may deem most expedient for the general welfare.

In the application of the present regulation, by masters are understood those who whether permanently or temporarily are charged with the command of the vessel in question.

Art. 4.

Masters of vessels entering the harbour shall not admit any persons on board, whether from boats, punts or from shore previous to passing fort Amsterdam, under a penalty of *f* 10. for each person admitted.

With a like penalty shall be punished, those who with boats or punts board a vessel which has not passed said fort. This is however not applicable to persons who go on board officially.

Art. 5.

Vessels coming in after sunset shall remain before fort Amsterdam until sunrise under a penalty of *f* 25, unless the Harbour-master shall have granted permission to sail up the harbour.

Art. 6.

The Harbour-master shall assign the mooring place for every vessel; hereby keeping in view as well the interests of commerce and shipping as those of a proper harbour police.

No other place shall be occupied by a vessel than that assigned.

The Harbour-master has at any time the right to change the place of a vessel. Without his consent

Masters acting in contravention to the tenor of this article, shall be punished with a fine of *f* 10. for every offence.

Art. 7.

The mooringplace for vessels, which are to be unloaded, shall be assigned by preference at the quayside.

The discharging of cargo shall commence with the greatest speed, on a penalty of *f* 3. and shall be continued regularly on forfeiture of the same penalty.

Art. 8.

The lower yards of vessels moored to the quay are to be tightly braced. Every thing which may be ordered by the Harbour-master concerning the mooring, precaution against damage of the quaywalls or other vessels, to the interests of the free passage in the harbour, or to the keeping afloat of the vessel, shall be immediately complied with. Each transgression of this article will be punished with a fine of *f* 3.

Art. 9.

It is forbidden under a penalty of *f* 25. to boil or heat any pitch or tar on board or on the quay to the south of the Waaigat, or to bream or scorch vessels.

It is however allowed to masters to have such small repairs done as can be effected without inconvenience to the quay.

In case of dispute whether there exists any inconvenience or not, the decision shall be left to the Chief of the police.

Art. 10.

Masters of vessels moored to the quay, are bound to take care not to damage the same or the quay-wall.

The beams and bridges for the discharging of cargo, which have to rest on the quay must be cut slantingly. They have to rest on the quay and not on the quay-wall, and if necessary must be properly secured.

Boats, sloops or other shipfurniture must not be hauled up, or carried on the quay.

Art. 11.

It is not allowed to throw into the harbour ballast or any other sinking substance, dead bodies of animals or spoiled provisions.

Dead bodies of animals from board the vessels, are to be conveyed outside the harbour free of the leepoint.

All the other afore mentioned objects are to be carried to the place permanently or provisionally assigned for such purpose.

Each transgression of this article shall be punished with a fine of *f* 25.

Art. 12.

It is not allowed to fire in the harbour either with guns or muskets under a penalty, if in daytime, if firing with blank cartridge of *f* 10. and of *f* 500. if with shot.

During the period of lowering the flag of the fort at evening and hoisting the same at morning, the penalty for firing in the harbour with blank cartridge will be *f* 50. and with shot *f* 1000.

Firing with any material by which human life or property may be endangered, will be considered the same as shot.

Art. 13.

During the interval between the firing of the evening gun and sunrise it is not allowed to kindle fire or to have any light on board, except in a lantern under a penalty of *f* 5. Steamers which have to put up steam and vessels of war are exempted from this rule.

Art. 14.

Masters of vessels moored in the harbour, are bound to render assistance to other vessels, conformable to the rules of good seamanship.

They must assist in taking and fixing the hawsers and cables of vessels which enter the harbour, so that they may safely haul upon the same.

If two or more vessels are moored to the quay next

Art. 15.

Besides the mutual assistance alluded to in the preceeding article, masters of vessels in the harbour are bound in case of fire or any other accident in the harbour, on the quays or wharfs, on the requisition of the Chief of the police or Harbour-master, to render such assistance and to procure materials, as they may be able, under a penalty of *f* 50., reserving their right of compensation for whatever damage or losses they may sustain.

Art. 16.

Vessels entering or leaving the harbour, vessels removing or moving to their allotted place are allowed to make such immediate use, free of expenses of the public grounds and quays, private quays and of the rings, duc d'alves, posts and other means of mooring, which may be on such grounds and quays, as the nature of the case and the urgent interest of the vessel may require, provided always that such vessels shall be liable for any damages saused by them even for those caused unintentionally.

This is also applicable to vessels already moored at a public place, but which have to make a temporary use of private property to increase, improve or change the means of mooring.

Hostile opposition, hindrance and loosening in an arbitrary way of the cables or other means of fastening by or on the authority of the proprietor shall be punished with a fine of *f* 100. under obligation of indemnifying all damages caused by the same.

Art. 17.

The Government reserves to itself to right to establish at its own expenses and under the obligation of indemnisation if any ground should exist for it on every lot situated near the harbour side all such means as may be found necessary in behalf of the safety of vessels. Proper care will be taken that the lot be not damaged, the outward appearance of dwellinghouses or inclosures be not disfigured, or the use

of more than 10 tuns burthen, a proper watch is to be kept during day and nighttime by not less than two men, who when hailed by the Harbour-master or a police-officer are to answer, as a proof that they are on the alert.

If such a watch is not kept the master shall be punished with a fine of *f* 25. Should the watch not be on the alert, a fine of *f* 5. is forfeited.

Art. 19.

Whenever the maintenance of order requires it, the police-officers shall be freely admitted on board of all the vessels in the harbour.

Masters are bound, to call in the assistance of the police if not able to repress disorders on board, with the means in their power and which they may lawfully use.

In case of any disorders or crime of which the cognizance belongs to the competency of the civil judge, they shall point out the culprits and deliver them over to the police. Every transgression of this article shall be punished with a fine of *f* 100.

Art. 20.

Sailors of foreign vessels below the rank of mate, except when in duty, are not allowed to be on shore after the evening gun has been fired, unless with the permission of the Chief of the Police, otherwise they will be arrested and detained to be delivered to the master of the vessel to which they belong.

Should they leave the vessel unnecessarily, with the knowledge of the master, such master shall be punished with a fine of *f* 15., besides the criminal prosecution which may be instituted for any crime committed on shore.

This is however not applicable to vessels of war, provided such sailors come ashore with the knowledge of the Chief of the Police.

Art. 21.

Masters of foreign-vessels are not allowed to send sailors ashore on account of being discharged or dis-

and brought back on board The master shall be punished in such a case with a fine of *f* 15.

Art. 22.

Masters bringing passengers are bound to report the same immediately on their arrival to the Police-office, at the same time tendering a list of their names, qualities and of the place they come from, under a penalty of *f* 10. for every omission.

Foreign passenger shall not leave the vessel before the aforementioned report shall have been made and the list rendered, under a like penalty to be paid either by the passengers or by the master.

The regulations of the publication of 18/22 December 1821 remain in force. Said report will not be required if the vessel lay off and on the harbour, and the passengers continue their voyage in the same.

Art. 23.

Besides the obligation to pay the penalties where these are stated in this regulation, the police officers generally and the Harbour-master particularly are, with the knowledge and sanction of the Chief of the Police, qualified, at the expenses of the defaulters, to do what may have been neglected and to prevent whatever may have been undertaken in contravention of this article.

No claim for compensation of damages can be made in this case.

If in urgent cases the sanction of the Chief of the Police can not previously be obtained, the Harbour-master shall be qualified to act without loss of time, under obligation to make his report to the Chief of the Police as soon as possible.

Art. 24.

Masters of vessels are responsible for all penalties due by their subordinates for transgressions of this regulation, whether committed at their order or not, reserving the right however, to recover the fines from the wages of those who may have willfully committed the transgression.

Masters of vessels are further qualified to apply to the Chief of the Police to have such disciplinary pun-

the same reserve of recovering the expenses from the wages of the culprit.

Art. 25.

The Harbour-master shall draw up a proces-verbal, on his official oath, of every transgression of this regulation, which proces-verbal shall establish a lawful proof reserving the right of counterproof.

The Harbour-master shall deliver his proces-verbal, so far as it may be required, to the Chief of the Police for prosecution.

Art. 26.

This regulation will be translated in the English, French and Spanish languages.

A copy of the same in either of these languages or in Dutch, at the option of the interested parties, will be delivered by the Harbour-master to all masters of vessels belonging to this Port, and to those entering the same for the first time; for this copy they will have to pay the cost of printing for the benefit of the colonial chest.

Art. 27.

All regulations contrary to the present one, and especially the Harbour-regulation of the 15 of July 1817 and the amplifications and alterations there upon, and also the publication of the 1 of August 1816, are hereby declared to be annulled.

This publication shall be published at Curaçao at the usual place, and inserted in the Publication-book of this colony.

Done at Curaçao January the 14 1862.

(sigd.) J. D. CROL.

The Colonial Secretary,

(sigd.) J. H. BEAUJON.

Published at Curaçao from the Court house and in Williamstown the 15 following.

The Colonial Secretary,

(sigd.) J. H. BEAUJON.

Translated by me,
Sworn Translator.